

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.
SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3215
—
(202) 326-7900
FACSIMILE:
(202) 326-7999

November 22, 2021

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001, 03-md-1570 (GBD) (SN)*

Dear Judge Netburn:

As directed by the Court's order by memorandum endorsement of October 25, 2021, ECF No. 7281, I write on behalf of Defendant Kingdom of Saudi Arabia ("Saudi Arabia") to bring the Court up to date on the status of the parties' efforts to propose redactions in accordance with the Court's November 24, 2020 order, ECF No. 6541. The Plaintiffs' Executive Committees, the Federal Bureau of Investigation ("FBI"), and Defendant Dallah Avco all join in this letter.

Saudi Arabia has not circulated any additional proposed redactions in the past month. Its counsel working on redaction review have been substantially occupied with the recent evidentiary hearing and related matters, including pre- and post-hearing document review, preparation, discovery disputes, and preparation of proposed findings of fact and conclusions of law. Saudi Arabia intends to circulate additional proposed redactions once the post-hearing briefing is complete.

As the Court is aware, the FBI has been actively engaged in conducting declassification reviews of several categories of records pursuant to Executive Order 14040. On November 2, 2021, the FBI produced substantial records and information that had previously been withheld as classified and privileged in this matter. The FBI has mobilized extraordinary resources to identify and review records in the remaining categories identified in the Executive Order. As a result, the FBI has not been able to spare resources to review proposed redactions to deposition transcripts and court filings pursuant to the FBI Protective Order. The FBI proposes to reassess its ability to review redactions after it completes the declassification review of the third category of records set forth in the Executive Order.

Dallah Avco is reviewing the redactions that Saudi Arabia circulated on October 22, 2021.

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

The Honorable Sarah Netburn
November 22, 2021
Page 2

Counsel for all parties will continue to work to move this process forward. Subject to the Court's approval, we propose to submit another joint status letter on or before December 22, 2021.

Respectfully submitted,

/s/ *Michael K. Kellogg*

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: All MDL Counsel of Record (via ECF)